
OLR Bill Analysis

SB 150

AN ACT CONCERNING FAMILY AND MEDICAL LEAVE BENEFITS FOR CERTAIN MUNICIPAL EMPLOYEES.

SUMMARY:

Beginning when the labor commissioner adopts implementing regulations, this bill reduces the number of work hours school paraprofessionals in educational settings need to qualify for family and medical leave benefits.

Under federal law, all municipal employees, including these paraprofessionals, qualify for benefits under the Family and Medical Leave Act (FMLA) if they have been employed by the municipality for at least 12 months and worked at least 1,250 hours in the previous 12 months. The bill requires boards of education to grant these paraprofessionals benefits equal to those provided by the federal FMLA if the paraprofessional has (1) been employed by the board for at least 12 months and (2) worked at least 950 hours for board during the 12 months prior to taking the benefit. The bill requires the labor commissioner to adopt implementing regulations and the paraprofessionals cannot begin to accrue the necessary 950 hours until the commissioner does so.

The bill similarly reduces the work requirement under the state's FMLA, from 1,250 to 950 hours, for the paraprofessionals to use the leave to serve as an organ or bone marrow donor. It also makes technical changes to the law that provides FMLA benefits to same sex spouses of municipal employees.

EFFECTIVE DATE: Upon passage

BACKGROUND

Federal FMLA Provisions

The federal FMLA provides up to 12 weeks of unpaid leave to employees of all political subdivisions, including towns, cities, boroughs, and school districts. Table 1 shows the law's provisions.

Table 1: Federal FMLA Provisions

	<i>Federal Law Applicable to Political Subdivisions</i>
Political subdivisions covered	All
Employees eligible	Those who have worked (1) at least 12 months for the employer and (2) at least 1,250 hours in the previous 12 months
Leave amount	Up to 12 weeks in one year
Types of leave	For birth; adoption or foster care; to provide care for employee's own parent, child, or spouse with serious health condition; or employee's own serious health condition
Serious health condition or illness	Illness, injury, impairment, or physical or mental condition involving incapacity or treatment connected with inpatient care in a hospital, hospice, or residential medical-care facility; or continuing treatment by a health care provider
Health benefits during leave	Employee health insurance must be continued under same conditions as prior to leave, including any required employee contribution
Job reinstatement rights	Must be restored to same position or equivalent in all benefits and other terms and conditions of employment

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 10 Nay 0 (03/06/2012)